Gas Main the Cause.

PRESIDENT ANGERS SENATORS

THEY RESENT INTERFERENCE WITH THE RATE BILL.

Speech of Senator Long in Favor of Administration Amendment Stirs Up a Colleguy Over the White House Conference-Fun Poked at Senator Allison.

WASHINGTON, April 3.-An echo from the conference at the White House on Saturday which involved the amendment for limited court review presented in the Senate yesterday by Senator Long of Kansas was heard in the Senate to-day.

Senator Long was in the midst of a profound and interesting speech explaining and defending the amendment when a sudden inspiration seemed to seize half a riozen Senators, and for fully thirty minutes Mr. Long was the object of a fusillade of questions that seemed for the time to bewilder him.

Mr. Foraker wanted to know what was meant by the expression in the Hepburn bil "fairly remunerative." Mr. Long replied that it was a matter to determine, But Mr. Foraker was insistent. He contended that inasmuch as Senators were invited to vote for the Hepburn bill, which required the Interstate Commerce Commission to make a rate that would be "justly compensatory" or "fairly remunerative," Senators were entitled to know just what these expressions meant. Mr. Long, however, adhered to his original refusal o define the terms, to the great amusement of several Senators.

Finally Mr. Bailey, the Democratic leader, brought up the subject of the conference at the White House, and inquired of Mr. Long concerning the details of it. The Kansas Senator admitted that there had been a conference, but insisted that the amendment had not been drawn at the White House, but elsewhere.

Mr. Bailey continued his quest for the details of the conference and brought Mr. Allison to his feet to explain. Mr. Allison, amid much laughter from his colleagues explained that he had gone to the White House Saturday in response to an invitation from the President. He was asked by Mr. Bailey if the words "justly compensatory" and the matter of their meaning was considered at the conference.

"I will say," said Mr. Allison, "that these very important words were not considered at the conference."

Mr. Foraker became very curious to know just what was considered at the conference. He pursued Mr. Allison with questions, and the latter finally declared with a slight show of feeling that it would not be proper for him to discuss what had taken place, whereupon Mr. Foraker dropped the colloquy, but Mr. Bailey took

Senator Allison earnestly declined to say whether he had been asked to stay for dinner or for luncheon or whether refreshments were served. His colleagues evidently enjoyed his discomfiture, and his good friend Mr. Spooner laughed heartily. He finally asked Mr. Allison if tea was served

at the conference. Mr. Bailey became serious and served notice on the Republican Senators who had been invited to the White House that they had taken a serious responsibility. He referred to the newspaper accounts of the affair and said he had no doubt the writers received their information at the White House, Mr. Bailey called attention to the fact that while the President had selected his conferees from his own party entirely he was looking to the Democratic side of the chamber for the necessary votes to pass

Mr. Bacon expressed his resentment at the course the President had pursued and inquired whether, after the bill had passed the Senate or had been further amended t was proposed to carry it to the White House to secure the President's "O. K. before the legislative work on the bill was completed. Mr. Bacon commented on the alleged disposition of the President to influence legislation and objected strongly to: voting for bills and measures that were prepared at the White House and sent to the

Mr. Culberson, another Democrat, asked Mr. Long if he would be willing, inasmuch as he could not explain the words "fairly remunerative," to have them taken ou of the bill, and the Kansas Senator replied that it would be agreeable to him.

The incident was expressive of the deep resentment felt by a number of Senators on both sides of the chamber on account

of the White House conference. After making a short statement explanatory of the Administration's judicial review amendment, Senator Long contended that all the rights of the carrier were amply protected under the present jurisdiction of the court, which would not be restricted or enlarged by this bill. He quoted from the speech of Senator Knox, recently delivered in the Senate, in which Senator Knox admitted that the friends of the pending bill contended that a right to review was recog-

nized in the bill. He agreed with the Senator from Pennsylvania that there should be no question of the right of the carrier which had been injured by an order of the commission to sue the commission in the United States Circuit Court, and said that while he was satisfied with the House bill in this particular, yet, in order to remove all question as to its constitutionality, he offered the amendment giving the right to sue the commission in the United States court, and giving jurisdiction to the court to hear and determine the question whether the order of the commission was beyond its authority or in violation of the rights of the carrier secured by the Constitution. He believed that the courts would assume this jurisdiction under the bill as it was passed by the House, and he did not favor enlarging their present juris-

diction. "While I believe," said Mr. Long, "that this bill would not be held unconstitutional in its present form, for it specifically recognizes the right of review and cannot be construed as an attempt to prevent a review, yet I am willing to place in it provisions that are more definite along this line. But I am not in favor of any provision for review similar to those in the different States to which reference has been made, because I believe hat such a provision would imperil constitutionality of the law and result in its being declared invalid by the courts. If a on for a court review is inserted in this bill that is so broad as to be construed in this bill that is so broad as to be construed as imposing the rate making power upon the courts it will be done without my vote." Senator Bailey of Texas offered an amend-ment to the Hepburn bill to-day including express and sleeping car companies in the term "common carrier."

MIZNER REPORTS ROBBERY.

Husband of Mrs. Yerkes Tells Police ST 500 in Jewelry Was Taken From His Room.

The police of the East Fifty-first street station house were notified last night that Wilson Mizner, who married the widow of Charles T. Yerkes, had been robbed of \$7,500 worth of jewelry. A telephone message reporting the robbery reached Sergt. Ennis at the station house about 6 o'clock. He sent two detectives, Summers and Conroy, to investigate.

They found that Mizner and his brother have apartments in the Hotel Seymour at 44 West Forty-fifth street. Mizner told them that while he and his brother and their valet were out between 4 and 5 o'clock their apartments were entered with a passkey. A trunk was broken open. Mizner showed the trunk.

Mizner said that among the things taken were three loose diamonds of a carat each, two pearl studs, a couple of pearl tie clasps, two stickpins, a pair of cuff links "studded with blue gray sapphires set in dull green rose gold with snake engravings"-at least that is the description the police got. Also, Mr. Mizner said, \$170 in cash had been taken.

The detectives looked around the house but could find no clue to the thief. They were still sleuthing at midnight.

Mizner started for the Hotel Astor for dinner early in the evening and had not returned at midnight. Inspector McLaughlin of the Detective Bureau was notified, and he and the detectives examined some of the bellboys in the hotel.

Manager Jenkins said that he did not believe that a stranger could get into Mizner's suite and that if anything it was an "inside" job. It was said that the cuff buttons were a present from Mrs. Mizner. She is not at the hotel.

MELLEN AT THE WHITE HOUSE. Has Luncheon With the President and May

Have Talked About Rate Bill. WASHINGTON, April 3.—Charles S. Mellen president of the New York, New Haven and Hartford Railroad, and T. F. Byrne, assistant to the president, were in Washington to-day. Mr. Mellen went to the White House at half past 1 this afternoon and took luncheon with President Roose-

This is the first time the New Haven's president has been in Washington since he made his recent speech severely criticising the Hepburn railroad rate bill as an extremely imperfect measure, and although no statement was made in regard to his interview with Mr. Roosevelt it is supposed that the pending rate legislation was under discussion.

FOOTPAD NEAR FIFTH AVE.

Girl Says She Was Held Up and Robbed on 89th Street Near Park Entrance.

Catherine O'Rorke, 18 years old, who said she was the telephone operator at the Hotel Royalton in West Forty-fourth street, went to the East Fifty-first street station last night and said that she had been held up by a highwayman on the Fifty-ninth street side of the Central Park wall, between Fifth and Sixth avenues.

According to Miss O'Rorke she was on ner way home, between 8:30 and 9 o'clock, when she noticed that she was followed by a short, heavy set man with a black mustache. Almost at the Fifth avenue entrance to the park, she said, the man grabbed her. He put his hand over her mouth and shoved her against the park wall. She carried a small pocketbook, and he wrenched it away from her. In the

pocketbook were \$10 and some trinkets. Then he struck her in the face and vaulted over the Park wall, and she screamed. Policeman Kane ran up and started a search in which several Park policemen joined. The man got away.

Then Miss O'Rorke went to the station house and told her story. Several detectives got a description of the man and started to look for him.

FOR A 7-YEAR-OLD FORGERY.

Fugitive Jordon, Betrayed by a Pal, Found Living Right Here.

George L. Jordon was arrested last night for a forgery for which he was indicted seven years ago. In September, 1899, it is alleged, he obtained \$20,000 from R. C. Bennett, a banker of 18 Wall street, on a note on which he had forged the name of H. P. Fyse, one of Bennett's clients. He was indicted, but escaped, and has been at liberty ever since.

When arrested last night Jordon declared that he had been living in the city

for the past four years. J. Woolsey Snepard, of 250 West Ninetyfourth street, Fyse's lawyer, finally learned of Jordon's presence in the city through one of Jordon's companions who was not pleased, it is said, with the division of the spoil in a recent haul made under the direction of Jordon. Shepard looked up the old indictment and got a bench warrant. Jordon is now over 60 years old and very

much broken in health. A full gray beard disguised him. Jordon was living under the name Mark

FACTORY GIRL SUES C. D. PHELPS.

She Says the Accountant Promised to Marry Her, but Changed His Mind.

Boston, April 3.-Miss Catherine Dizer 30 years old, who lives in Waltham and is employed in the watch factory, has brought a breach of promise suit for \$20,000 against Charles D. Phelps, 55 years old, of Orange, N. J. The papers were filed at East Cambridge this morning. The defendant is a public accountant, with an office at 143 Liberty street, New York. He is a widower

and has several children For many years he has been engaged in auditing the books of large corporations and it has been his custom to visit the watch factory several times each year. About five years ago he became acquainted with Miss Dizer, who is one of the most attractive young women employed in the

factory. In a letter to her attorney, in which she briefly recites the history of their friend ship, Miss Dizer asserts that in May, 1902. she went to New York, and that while in that city the defendant proposed marriage to her, and she accepted. She says that Phelps told her to go ahead and p repare her wedding trousseau, which she did at considerable expense. On May 19, 1905. a few days before the wedding was to take place, she says a disagreement arose and Phelps informed her that he would not marry her.

Dewar's Scotch whiskey. Distinguished from all other beverages by its accurate flavor.—Adv.

RECOUNT BILL IS SHELVED.

ASSEMBLY RECOMMITS MEASURE DESIGNED TO HELP HEARST.

Odell's Followers Join With the M. O. Men. the Deposed Rogers Leading Their Fight-Moreland Points Out Faults of the Bill-Democrats Not United.

ALBANY, April 3.—By a vote of 86 ayes to 47 noes the Assembly to-day after a five hours debate recommitted to the Assembly Judiciary Committee Assemblyman Charles F. Murphy's bill, the ostensible purpose of which is to secure a recount of the ballots cast at last fall's election in New York city.

The action of the Assembly indicates that the bill is dead. However, if the bill makes its reappearance from the committee again it will be in such shape that the introducers will fail to recognize their child.

The compact that existed between William Randolph Hearst and Benjamin B Odell, Jr., at last fall's election was in evidence to-day. Of course the seven Municipal Ownership Assemblymen voted against recommitting the bill and they were joined by all of the Odell Assemblymen.

The effort to recommit the bill was attacked by James T. Rogers, who to-day more than ever proclaimed himself to be the Odell leader in the lower house. Mr. Rogers has captiously oriticised everything done by the new leaders of the lower house at this session and they have not seemed to mind it in the least. He has sneered at the idea of reform and he has poked fun at housecleaning.

To-day he attacked the Governor, charging Mr. Higgins with being responsible for the change in attitude in regard to the bill and likened him to that illustrious man who had an army which he led half way up the hill. This recalled to some members the remark of Gov. Higgins last December when he was apprised that the man from Broome had announced his reentry into the Speakership race after declaring himself out

"Oh, Rogers will flop around some more. All of the New York city Republicans voted against recommitting the bill, with the exception of Assemblyman Prentice, who represents the Assembly district o Herbert Parsons. Mr. Prentice has been opposed to the bill from the outset. The Democrats were not united on the bill either, Messrs. Bernstein and Cohalan speaking in favor of the bill and voting against recommitting. Assemblymen Feth, Fritz, Nolan, Oglesby and Shanahan also voted against recommittal. The Brooklyn Republican members voted against recommittal.

It developed in the course of the debate that very few members had even read the provisions of the bill. They had a better understanding of the matter after Majority Leader Moreland had finished his speech. Mr. Moreland tore the bill into shreds. He said the bill had to go back to the committee for amendment. Assemblyman Hartman interjected to ask "Why can't

you amend it on the floor?" "Because," was the reply, "after a reading and study of the bill I find that more than sixty amendments are necessary to make the bill workable, and a closer scrutiny will reveal the need of many more undoubtedly.

Mr. Moreland showed that the bill permitted of the tying up of elections and depriving honestly elected candidates their office through mere affidavits. He showed in what manner schemes could be entered into and candidates who had received good sized pluralities forced to defend their election through the machinations of unscrupulous defeated candi-

Mr. Moreland also showed that the bill, if enacted into law, would permit not only of one recount but a succession of them. If there were a half dozen or more candidates for the same office he showed how each of the defeated candidates could one after another institute proceedings for a

Members were amazed at the provisions of the bill as Moreland explained them. They had thought it was only a measure that was to overcome the decision of the Court of Appeals to permit a recount of the ballots cast at last fall's election in New York city and had given no further thought to the matter.

Assemblyman Burnett said he favored the bill, but he was forced to admit that it was in a very crude form. Mr. Burnett had worked hard to get the bill reported from the Judiciary Committee. Assemblyman Tompkins, who comes from Mayor McClellan's home district, attacked the manner in which the bill was framed. He said Mayor McClellan did not fear a re count, but he wanted an honest recount. Assemblyman La Fetra, who represents Charles F. Murphy's Assembly district, also cited legal objections to the bill.

Assemblymen Rogers, Cunningham, Stan-Cohalan and Bernstein favored the bill with Mr. Murphy. None of them attempted to combat the statements concerning the legal defects, but all spoke of the suspicion that Mr. McClellan was not honestly entitled to his office.

After the bill had been recommitted one of the Republican leaders said: "That s the last time we will have to consider this bill."

Slattery Can't Open Ballot Boxes.

Supreme Court Justice Greenbaum denfed yesterday the application of Hubert Slattery, the M. O. L. candidate for Alderman in the Thirtieth district, for an order authorizing the opening of the ballot boxes and a recount of the ballots. John T. McCall was declared elected by the Board of Elections, but Slattery is contesting the seat before the Aldermen's Committee on Privileges and Elections. Justice Greenbaum says that the proofs adduced by Slattery concerning the alleged incorrectness of the returns are quite unreliable and not supported by extraneous evidence. As to the legal questions involved, Justice Greenbaum says, the lack of merit in the application makes it unnecessary to discuss

EXILED CANDIDATE.

Zuniga Joins the Party of Suddenly Ejected Costa Ricans.

Prinz August Wilhelm; from Port imon and Kingston, brought another Cost a Rican refugee yesterday. He is Tobias Zuniga, who wanted to be President Because he seemed to be developing strength he was lifted bodily and cast out of the country. He brings with him, to join the South American exiles in New York, his two

The Lake Shore Limited,
a luxurious train between New York and Chicago
by the New York Central Lines. Leaves New
York 5:30 P. M., arrives Chicago at 4:00 next afternoon. Leaves Chicago 5:30 P. M., arrives New
York 5:30 next afternoon.—Adv.

OHIO RIVER IS AFIRE. Area as Big as a City Block Ablaze Broken

PITTSBURG, April 3.-The Ohio River at Sewickley, fifteen miles below this city, is on fire, and all efforts to extinguish the flames have been unsuccessful. Thousands of persons from Pittsburg visited the river bank to-day and watched what appeared to be a startling phenomenon. From almost the middle of the stream, covering an area as large as a city block, the flames issue from the water and shoot up 30 feet. All traffic on the river has been aban-

doned The fire is not so strange as it seems The flames are fed by a break in the twelve inch main of the Manufacturers' Heat and Light Company, which crosses under the river. Yesterday a towboat was passing and a deckhand threw a burning match into the stream. A great tongue of flame burst forth, and if the boat had not been moving fast it would have been set on fire. The man who threw the match had all of his clothing burned off. The gas will have to be shut off to extinguish the

EARL GREY PRESIDENT'S GUEST Governor General of Canada Entertained

at a White House Dinner Washington, April 3.-The President gave a dinner to-night in honor of the Governor General of Canada and Countess Grey, who, with their daughter Lady Sibyl Grey, Lady Alexandra Beauclerk and Col. Hanbury-Williams, are guests at the White House.

The dinner guests were the British Ambassador and Lady Durand, the Governor-General of Canada and Countess Grev. the Secretary of State and Mrs. Root, Speaker Cannon, Senator Lodge, Representative and Mrs. Longworth, Attorney-General Moody, the Secretary of the Navy and Mrs. Bonaparte, Lieut.-Col. Count Gleichen, Col. Hanbury-Williams, Rear Admiral and Mrs. Cowles, Mr. and Mrs. James Lowndes, Mr. and Mrs. Fred W. Whiteridge, Mrs. James W. Pinchot, Mrs. J. Donald Cameron, Mrs. Alford W. Cooley. Lady Sibyl Grev. Lady Alexandra Beauclerk, Miss Edith Root, Miss Emily Tuckerman and Gifford Pinchot.

FRANKLIN PORTRAIT READY.

Taken From Dorchester House to Be Sent Back to This Country.

Special Cable Despatch to THE SUN LONDON, April 3 .- The portrait of Benjamin Franklin which the great-grandfather of Earl Grey, Governor-General of Canada, took from Franklin's house in Philadelphia when he was quartered there in 1770 and which Earl Grev has restored to the United States, was removed from the famous picture gallery in Dorchester House, at present the residence of Ambassador Whitelaw Reid, to-day, repacked in a tin lined box, and will be shipped to America on the steamship St. Paul next Saturday.

The picture was cleaned and revarnished lately and is in excellent condition. It depicts Franklin at an earlier period of his life than the conventional pictures show

GIRL ACTRESS PLEADS GUILTY. Woman Who Accused Elsie Starr of Theft

Offers to Adopt Her. Elsie Starr, 16 years old, an actress of terday in Special Sessions for petty larceny. The girl was arrested March 29 on the complaint of Mrs. Carra Melbourne, another actress, of 43 West Twenty-seventh street. She was charged with stealing a waist and a ring valued at \$21.

She told presiding Justice Olmsted she had been on the stage a year, having joined a theatrical company in Memphis upon th death of an aunt with whom she lived. Her parents have been dead eight years. she said, and she has been with her aunt ever since.

When Elsie, whose doll face and great blue eyes attracted the attention of everybody in the court room, pleaded guilty Mrs. Melbourne asked if she couldn't with draw the charge and take her home with her. Elsie was "such a dear," she said, that she would like to adopt her. Then a number of women who had been taking a lively interest in the case came forward and asked Clerk Fuller if they couldn't adopt Elsie, too. Fuller passed the propositions on to Justice Olmsted, but he announced that she would in all probability be turned over to her uncle, Charles Anderson of Brooklyn. The girl was remanded to the Tombs until to-day.

KING BRAVES STORMY SEAS.

Alfonso Declines to Give Up His Tour the Canary Islands. Special Cable Despatch to THE SU

Las Palmas, Grand Canary, April 3.-A continuous gale and high seas prompted Admiral Concas, Minister of Marine, and other members of King Alfonso's suite to try to dissuade his Majesty from completing his tour of the islands.

The King, who does not suffer from sea sickness, laughed at them, and insisted upon seeing all the islands and meeting all the islanders personally. He will sail hence at midnight for Santa Cruz. His suite seem to be apprehensive of an acci-

Scenes of enthusiastic loyalty, similar to those witnessed in Teneriffe, were reenacted here. The King has won everybody by his good nature and pleasant man-

CARRIAGE UPSET IN RUNAWAY Miss Ropes, Thrown to Street, Escapes With

Cuts; Driver Badly Hurt. Miss Marian I. Ropes of 28 West Thirtysixth street and her driver, Barney French, of 400 West Thirty-sixth street, were thrown from a victoria during a runaway yesterday afternoon. Miss Ropes escaped serious injury, but French is lying unconscious in Roosevelt Hospital.

The horses bolted just as they turned into Eighty-fifth street from Central Park West. French was not able to regain control and in front of 148 West Eighty-fifth street the victoria crashed into a Salvation Army wagon driven by Adolph Fine of 528 West

Thirty-sixth street.

The collision overturned the carriage and threw Miss Ropes and French into the street. The wheels of the victoria locked with the wagon and the frightened horses were checked until Policeman Thalen could get to their heads. get to their heads. Dr. Sinclair K. Royle, of 105 West Seventy-sixth street, who was driving past, went to Miss Ropes's aid. She was badly cut about the face but otherwise unhurt. An ambu-lance from Roosevelt Hospital was called for French.

Miss Ropes went home in Dr. Royle's car-

CHICAGO TO BUY RAILWAYS

BUT PROPOSITION FOR CITY TO OPERATE LINES 18 LOST.

Majority of Voters Favored Latter Plan, but Not the Required 60 Per Cent. -Issue of \$75,000,000 for Purchase or Construction of Lines Is Approved.

CHICAGO, April 3.-Municipal operation of street railways was repudiated by the people of Chicago in the city election held to-day, in which the proposition was submitted to a referendum vote under the provisions of the Mueller law. The vote on the proposition, "Shall the city of Chicago proceed to operate street railways?" was: For the proposition, 120,911. Against

110.260. As the Mueller law requires that the proposition regarding municipal operation of street railways shall be approved by not less than 60 per cent. of those voting | Island. on the question, the proposed municipal operation of street railways in Chicago was rejected by this vote, which lacked

17,791 votes of the requisite 80 per cent. But by a majority of 8,339 the people decided that the city may "construct, acquire, purchase, own and maintain street railways" in the language of the ordinance which was submitted to the citizens for action. The issue of \$75,000,000 of streetcar certificates, as authorized under the Mueller law, was approved by the vote, which indorsed the municipal ownership ordinance passed by the City Council on

January 18 last. The vote on the approval of the municipal ownership ordinance and the issue of the \$75,000,000 Mueller law certificates, which were included in the same proposition on

the ballot, was: For, 110,008.

Against, 106,669. Majority for the ordinance and the issue of the certificates, 3,339.

Only a majority vote was required under the law to give effect to this proposition,

and it was therefore carried. On the question of public policy submitted to the people, which was: "Shall the City Council proceed without delay to secure municipal ownership of all street railways in Chicago under the Mueller law, instead of passing the pending franchise ordinances or any other ordinances granting franchises to private companies?" the vote was 111,662 for, to 108,025 against, a majority of 3.837 for the proposition. As this latter was only for the purpose of securing an expression of public sentiment, it has no

High license will be safe in the new Council. Late results show that fourteen of the high license Aldermen are returned to the council. Five of the newly elected men, who never served in the Council, are pledged to vote against any repeal of the \$1,000 fee, and nineteen of the holdovers voted for the high license ordinance, making a total of 37 against low license, or two more than a majority. Several of the newly elected Councilmen have not expressed themselves publicly on the question, but privately have stated that they would not vote to repeal

MILWAUKEE GOES REPUBLICAN For the First Time in Eight Years—Becker

the \$1,000 fee.

Elected Mayor. MILWAUKEE, April 3.-After eight years of Democratic rule Milwaukee has again become Republican: Sherbie Becker, son of a millionaire, former Alderman and former Supervisor, did the trick and relegated Mayor David S. Rose to private life after four terms in office. It is said that Mayor Rose will now move to Tucson. Ariz., where he has great gold mines, and

work for Statehood for Arizona. If Arizona becomes a State he expects to be the first Democratic Senator from the new State. He was defeated in the Democratic national convention in 1904 for Vice-President, but is in great favor among the Democratic leaders of the con-

servative type. The campaign has been of the fireworks order. Dozens of speeches have been made daily. The Socialists made it a three cornered fight. Until to-night it was a tossup which of the three would win. Becker however, ran far ahead of his ticket and is elected by about 5,000. Becker was

fought because he was young. His running to fires with a wash boile full of hot coffee for firemen was laughed at by opposition speakers but the young voters turned out for him. Rose lost the solid Polish vote and the bulk of the German vote, which he had heretofore. The Socialists failed to make their expected gains, although they were aided by Joseph Medill Patterson.

REPUBLICAN GAIN IN HARTFORD Mayor Henney Reelected by a Largely Increased Plurality.

HARTFORD, Conn.; April 3.-To-day' city election resulted in a landslide for the Republicans. Mayor William F. Henney Republican, has been reelected by more than 2,000 plurality over William F. O'Neill, Democrat, Henney's plurality over Sullivan two years ago was about 600.

Henry F Smith, for City Clerk, defeated his Democratic opponent by 3,300, and Otis F. Hart, Republican candidate for City Collector, had 2,700 more votes than his Democratic opponent. License was carried three to one and several proposed appropriations were approved.

The Sullivan wing of the Democratic party apparently did not support O'Neill. Sullivan was defeated for renomination.

BOY RAN BEFORE AUTO.

Gets Fractured Skull and Internal Injurie

-Driver Held in \$2,000. Peter Commenerade, 10 years old, of 435 East Twelfth street, was run down yesterday afternoon by an automobile at Fourth avenue and Twelfth street. The boy was playing in the street and ran out in front of the car as it turned the corner. He was taken to Bellevue with a fractured skull

and internal injuries.

Harold E. Porter, 24 years old, of 254
Decatur street, Brooklyn, the driver of the
machine, was held in \$2,000 bail for examination in the Yorkville police court by Magistrate Pool.

881.75 TO LOS ANGELES AND RETURN Or San Francisco, via Pennsylvania Railroad April 24 to May 4. account Shriners' Imperial Coun-off. Consult ticket agents.—Ada

SCULPTOR ON BALLOON TRIP. HARD COAL MEN MEET IN VAIN

Nocquet When Last Seen Was Headed for Long Island.

Paul Nocquet, the sculptor, made a trip in his balloon yesterday. He sent the balloon to the Central Union Gas Works on East 138th street and had it inflated in the afternoon, saying that he wanted to see what Manhattan looked like from up near the clouds.

Dr. Thomas, who made a trip with Count de la Vaulx on Monday, was with Nocquet but did not accompany him on his trip. It was late in the afternoon when the balloon was cast off and at that time there was a light northwesterly wind. The balloon ascended slowly and then drifted in a southeasterly direction and later crossed the East River and went out on Long Island. At a late hour last night nothing had been heard of the balloonist and it was thought at the Aero Club that he must have landed somewhere on Long

MRS. MACKAY TO BUILD A CHURCH To Cost \$40,000 and to Occupy the Site of

Trinity in Roslyn. MINEOLA, L. I., April 3.-Trinity Church of Roslyn is to have a new building to cost \$40,000, to be donated by Mrs. Clarence H. Mackay. She recently donated a parish house to cost \$10,000 as a memerial to her parents. Work has been begun on the parish house, and the whole church property

has been surveyed. The plan is said to be to erect a large church on the site of the present edifice, which is considered too small to accommodate the summer congregation, which includes many wealthy residents of the Wheatley Hills. It is Mrs. Mackay's plan to induce some of these to provide an endowment fund of \$25,000 for the church.

KILLS NEGRO IN GIRL'S ROOM. Professor Shoots Intruder Who Carried

a Large Knife in His Hand. DALLAS, Tex., April 3.-Jess Jones, 8 negro, entered the residence of Prof. F. P Preuitt at Polytechnic Heights, a suburb of Fort Worth, soon after midnight this morning, and was shot and killed by the professor. Preuitt was arrested on a murder charge, but was released on a \$100 bond

after waiving examination. Shortly before midnight Prof. Preuitt was awakened by a noise on the porch of his two story dwelling and saw some one trying to raise the window. Prof. Preuitt secured a shotgun and sat on the end of his bed and waited. A short time later he heard the footsteps of a shoeless man. When the intruder was opposite the bed of his thirteen-year-old daughter in an adjoing room Prof. Preuitt fired both barrels of his shotgun. The charge took effect in the heart of the negro. In the latter's hand was a large bladed clasp knife, with the blade open.

A HOUSE RUNS AGROUND.

Mr. Mollenhauer's Residence at Bay Shore

May Be Wrecked. BABYLON, L. I., April 3.-The handsome country residence of J. Adolph Moltenhaur at Bay Shore is aground on mud flats, but is resting easily. It will probably floated at the next high tide. The building is four stories in height with a tower that runs up a story or two more. It is the show residence in the most fashionable part of Bay Shore.

It stood near the Great South Bay, but Mr. Moltenhaur decided that a site which he owns across an inlet was more desirable. He decided to move the residence from one side of the inlet to the other. It would have been a tedious journey to go around by shore, so the house was lifted on skids and hauled out on five big scows which had been lashed together, and upon which a frame

work of timbers had been built. The wind, however, has been off shore for some days and the tide has been very low. To-day soundings indicated that it would be possible to float the outfit across the inlet and a shaft was made. A shoal was struck and when the tide went out it left the outfit in the mud. The house weighs about two hundred tons.

RERATE INDICTMENTS FOUND.

Not Handed in Yet by Federal Grand Jury -Sugar Inquiry Goes on The Federal Grand Jury spent a long session yesterday considering documentary evidence affecting the Pennsylvania Railroad in the sugar rebating inquiry. It also took up the alleged illegal pool among the

roads. Four indictments were handed down; but none of them grew out of the sugar rebate investigation. It is known, however, that indictments for rebating against the New York Central Railroad and the American Sugar Company were found a week ago

HAGUE CONFERENCE IN JULY. Agreement Reached by the Czar and the

Netherlands Government. WASHINGTON, April 3.-The date for the assembling of the second International Peace Conference at The Hague has been practically decided for the first part of next July. Baron Rosen, the Russian Ambassador, to-day presented to the State Department a note from his Government stating that an agreement to this effect had been reached between the Czar and the

Netherlands Government. The note also contained a synopsis of programme which Russia proposes to submit to the conference.

WIRELESS TO THE POLE?

Wellman Says He's Ready to Send the New When He Finds It.

Walter Wellman announced last night that he had signed a contract with the American DeForest Wireless Telegraph Company by which the company agrees to construct and maintain a wireless service consisting of three relay stations for the Wellman airship polar expedition. The first station will be at Hammerfest, Norway, where cable connections will be

maintained. Station 2 will be on the Arctic ship Frithjof, which will convey the party to Spitzbergen, where headquarters will be established. The third station is to be on the dirigible balloon which Mr. Wellman says will carry the explorers toward the pole.

After all. Usher's the Scotol that made the highball famous.-Ade.

OPERATORS LISTEN TO MITCHELL, BUT CONCEDE NOTHING.

Adjournment Taken at Miners' Request to Thursday-"Talk, Talk, Talk," Says Baer of the Meeting-No Suggestion

From the Men of Any Modified Demands At the meeting yesterday between the anthracite coal operators and John Mitchell's committee of seven representing the miners Mitchell repeated every one of the demands which President Baer in his letter of March 12 refused on the part

of the operators to grant. The meeting yesterday lasted a little less than three hours. It was absolutely unproductive of results except that it showed that the operators had not receded from the position taken by Mr. Baer in his letter on the ground that all of the questions raised had been settled by the Anthracite Strike Commission after a long discussion.

Mr. Mitchell and his associates did practically all of the talking. They offered no modifications of the demands and none was suggested by the operators. Finally, after three hours talk, and when it had been made pretty clear to Mitchell that the operators were still of the same mind, Mitchell asked for an adjournment until 1 o'clock to-morrow, which was granted.

The purpose of this adjournment apparently was to give Mitchell a chance to report the attitude of the operators to the miners' scale committee of thirty-six members, which is quartered at the Ashland House. This was done at a meeting there last night. The fact that Mitchell asked for the adjournment was thought by some to indicate that the miners intend to submit some modifications to-morrow, but this Mitchell and his associates denied.

That vesterday's meeting was absolutely fruitless was indicated pretty closely in a statement made by Mr. Baer late in the afternoon as he was leaving the Central Building at 148 Liberty street, where the meeting was held. He said "There was nothing done but talk, talk,

talk. Mr. Mitchell and his friends talked at great length without coming to any practical point at all. They talked of the brotherhood of man, of the rights of the working people, but they didn't propose anything." "Did they suggest any modifications in their demands?" Mr. Baer was asked.

"They suggested nothing. It was simply a general talk. The operators had nothing to say. We came here to hear what the men had to say. Of course we might have asked a few questions. They told a lot of stories and made a long general talk. Then at Mr. Mitchell's suggestion an adjourn-

ment was taken until Thursday.' Mr. Baer, in reply to another question,

said that the suspension order, he believed, would continue. "It wasn't mentioned at all. In fact nothing practical was mentioned," he said There was no modification on either side. The meeting began at noon and lasted until nearly 3 o'clock. Those present were Messrs. Baer, Truesdale, Kerr, Williams, Willcox, Thomas and Cake, representing the operators, and Messrs. Mitchell, Fahy, Hartlein, Dettrey, Gallagher, Nicholls Dempsey, representing the miners. Mitchell said when he arrived that he had no objection to the meeting being a public one. When Mr. Baer asked him about this

Mitchell said that he had only been joking. When they got inside Mr. Thomas was elected chairman, and then Mr. Mitchell made a long speech, going over all the arguments made in his letter to Mr. Baer in support of the seven demands made by the union. These are: An agreement the United Mine Workers of America for one year, an eight hour day, a uniform scale of wages, an increase of 10 per cent. to all men working under contract and an additional 10 per cent. to all using safety lamps, the weighing of coal, the "check off" system, and the reconstruction of the board of conciliation, giving the miners more representation. He contended that all these demands should be granted. District President Nicholls also made a long

just as the meeting was about to be called

speech on the same lines. In the conversation at the meeting Mitchell was asked if these demands were not equivalent to demanding the closed shop in the anthracite regions. This was denied by the miners, but they did not recede from their position that the "check off" system should be established, which, according to the operators, virtually amounts to the same thing, as it imposes a tax on every mine for the support of the union and makes the companies the collectors. There was no suggestion of arbitration by either side, and when the conference adjourned the position on both sides was exactly the same as before it took

"We have simply no indication of what the outcome will be," said President Truesdale after the meeting. "We have simply adjourned at his request to meet again on Thursday."

diately for the Ashland House after the meeting. The members of the operators' committee had luncheon together before separating. Mitchell refused absolutely to discuss what had taken place at the meeting. As soon as Mitchell reached the hotel

Mitchell and his committee left imme-

he shut himself in his room and refused to be interviewed. The miners at the Ashland House were continually getting reports from the coal fields yesterday as to the number of men at work. They said that those received earlier in the day show that of the 170,000 men employed only a few hundred were work-

ing, and those were at the Oxford colliery, which is on a cooperative plant. Mitchell at the Ashland House last night gave out a letter which he received from Gov. Pennypacker of Pennsylvania. The letter was addressed to him and to President Baer and was dated March 31. It

"GENTLEMEN. The Commonwealth of Pennsylvania expects that every reasonable effort will be made to accommodate the differences between the coal operators and the coal miners and divert the strike that is now threatened. "SAMUEL PENNYPACKER."

Mitchell called the scale committee ogether at 7:30 o'clock last night, but the

meeting lasted only about six minutes. just long enough for them to learn what the results of the day's conference had been. Another meeting will be held this morning; when it will be decided whether any change

shall be made in the miners' position, Most